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5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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8 MARINE DESIGN AND OPERATIONS INC.,

No. C 08-3397 SI

9 Plaintiff,

**ORDER OF DISMISSAL**

10 v.

11 SS PACIFIC STAR, *et al.*,

12 Defendants.  
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15 The parties to the action have advised the court that they have agreed to a settlement.

16 IT IS HEREBY ORDERED that this matter is DISMISSED WITH PREJUDICE. However,  
17 if any party hereto certifies to this court, with proof of service of a copy thereon on opposing counsel,  
18 within ninety (90) days of the date hereof, that settlement has not in fact occurred, the foregoing order  
19 shall be vacated and this cause shall forthwith be restored to the calendar for further proceedings.

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21 **IT IS SO ORDERED.**

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23 Dated: August 4, 2009



24 SUSAN ILLSTON  
United States District Judge  
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